

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

RAYMOND KIRKENDALL, III,

Plaintiff,

v.

UNKNOWN CONKLIN, et al.,

Defendants.

Case No. 1:18-cv-480

HON. JANET T. NEFF

ORDER

This is a civil rights action brought by a state prisoner pursuant to 42 U.S.C. § 1983. Defendant Conklin, the only remaining defendant in this action, filed a Motion for Summary Judgment (ECF No. 54). The matter was referred to the Magistrate Judge, who issued a Report and Recommendation on July 10, 2020, recommending that this Court grant the motion and dismiss Plaintiff's amended complaint with prejudice. The Report and Recommendation was duly served on the parties. No objections have been filed. *See* 28 U.S.C. § 636(b)(1). Accordingly:

IT IS HEREBY ORDERED that the Report and Recommendation (ECF No. 56) is APPROVED and ADOPTED as the Opinion of the Court.

IT IS FURTHER ORDERED that the Motion for Summary Judgment (ECF No. 54) is GRANTED.

The Court must next decide whether an appeal of this action would be in good faith within the meaning of 28 U.S.C. § 1915(a)(3). *See McGore v. Wrigglesworth*, 114 F.3d 601, 611 (6th Cir. 1997). The Court does not certify that an appeal would not be in good faith.

A Judgment will be entered consistent with this Order.

Dated: August 4, 2020

/s/ Janet T. Neff
JANET T. NEFF
United States District Judge